

# DARBY & DARBY

PROFESSIONAL  
CORPORATION

INTELLECTUAL PROPERTY LAW

805 THIRD AVENUE  
NEW YORK, NY 10022-7513  
TEL (212) 527-7700  
FAX (212) 753-6237



November 20, 2001

Reference: 8909/82382

## DECLARATION OF ORLANDO CATALA

I, Orlando Catala declare that:

1. I am employed by Archer Management Services as a customer service representative.

2. On November 16, 2001, I was so employed and stationed at the offices of Darby & Darby P.C., 805 Third Avenue, New York, New York, 10022.

3. On that date, I accepted 16 express mail packages from the docketing department at Darby & Darby. In accordance with my instructions, I confirmed that the express mail label number for each of the packages appeared on an Express Mail Confirmation form and that the docket clerk providing the package was identified next to the label number. Upon delivering the express mail packages to the local post office, I filled in the location of the post office, the date and time of delivery, and signed the Messenger Certification on the back of the form. A true copy of that Express Mail confirmation form is attached as Exhibit A.

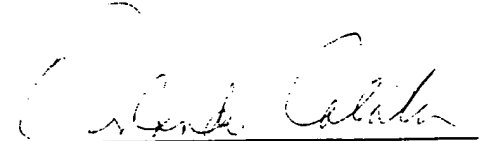
4. This evening, however, the clerk at the express mail window refused to accept thirteen of the packages. I therefore brought the thirteen packages back to the offices of Darby & Darby.

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I further, declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Date: \_\_\_\_\_

11/20/01



Orlando Catala



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**DECLARATION OF GABRIELLA V. KARASZI**

I, Gabriella V. Karaszi declare that:

1. I am employed by Darby & Darby, P.C., 805 Third Avenue, New York, New York 10022 as Docketing Manager.
2. I have been informed by Mr. Gerald Brown, Sr. Site Manager for Archer Management Services that, on the evening of Friday, November 16, 2001 a messenger attempted to deposit several of our Express Mail packages at the United States Post Office and that they were not accepted. Thirteen of the packages were addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231-9998. These were not accepted.
3. On Monday, November 19, 2001, I opened each of the thirteen Express Mail packages to enclose a copy of a United States Postal Service Suspension Notice, copy attached as Exhibit A. I did not add anything else to or remove anything from any of the packages. They have remained in my sole possession up to the time of being sealed for re-mailing to the United States Patent and Trademark Office.
4. Attached as Exhibit B is a true copy of our Express Mail Confirmation form for November 16, 2001, signed by Mr. Orlando Catala. On this form is the Express Mail label number of each Express Mail envelope he took to the post office and the initials of the docket clerk who provided the package. On the back is a Messenger Certification, which appears to have been filled in, dated and signed by Mr. Catala.

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I further, declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Date: November 20, 2001

Gabriella V. Karaszi  
Gabriella V. Karaszi